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			3764	
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Please find below and/or attached an Office communication concerning this application or proceeding.

3) Niformation Disclosure Statement(s) (PTO-1449) Paper No(s)

6) Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 112

Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Some of the language in the claims is not understood. In claim 1, line 1, it is not clear what is meant by the IOL system "comprising and insertion and injection device and a deflated lens member". Comprising what and insertion and injection device and a deflated lens member? In line 6 it is not clear what is meant by the deflated lens member is mounted "about and to an end of the moveable member". About what and to an end of the moveable member?

In claim 2, line 2, "moveable disposed" would appear to be --moveably disposed--.

In claim 7, line 2, it is not clear what is meant by the self-sealing mechanism "in which is removably and sealingly received the moveable member".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 9 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Galib. Galib teaches an insertion and injection device for inserting a deflated lens member comprising a moveable member 65 having an outlet port at the distal end thereof. The deflated lens member is mounted about the end of the moveable member and sealingly engaged with another portion of

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the moveable member. The moveable member outlet communicates with the deflated member compartment.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-7, 10-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galib in view of Sahatjian. Galib may not teach an outer member for supporting the moveable member however, using a catheter for housing the moveable member to aid in passing the system within the opening in the eye to the deploying site is conventional in the art of inserting inflatable devices within openings in the body. Such would have been an obvious provision and is exemplified by Sahatjian. It would have been obvious to one of ordinary skill in the art to modify Galib to use a catheter for housing and supporting the moveable member and deflated member such as taught by Sahatjian in order to aid in passing the inflatable member through the opening in the eye. Regarding claims 5, 6, the number of outlets is well within the realm of the artisan of ordinary skill and an obvious provision as desired or required.

Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peyman in view of Galib and Sahatjian. Peyman appears silent with regard to exactly how the IOL is inserted through the eye however, Peyman does teach that in the deflated condition it is sufficiently small to enable the IOL to be inserted into the eye through a relatively small incision. The manner and means of inserting it is not detailed. Galib teaches the process of inserting the

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IOL using a moveable member and Sahatjian teaches the conventional outer member as noted above. It would have been obvious to one of ordinary skill in the art to modify Peyman to insert the Peyman device using the inner and outer members as taught by Galib and Sahatjian as noted above to aid in implanting the IOL through the relatively small incision.

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